




# Austin Police Department

*City of Austin: Founded by Congress, Republic of Texas, 1839  
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To: Mayor and City Council

From:  Brian Manley, Interim Chief of Police, Austin Police Department

Date: February 26, 2018

Subject: CIUR # 1881 - Council Resolution No.20170413-026 - K2 /Spice Epidemic

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Pursuant to Council Resolution 20170413-026 – this memo serves as a response to the request for the City Manager to address the urgent public health situation caused by increased K2/Spice use and to identify and provide to Council:

- (1) Best practices from experts in relevant fields related to harm reduction and treatment for dependency and addiction to K2/Spice and other substances that impact the populations described herein;
  - a. The use of K2/Spice is comparable to the use of addictive narcotics.
  - b. Treatments for dependency and addiction are reliant upon the involvement of the individual user, but comprehensive public health approaches can be applied to the urgent public health situation caused by the increased use in K2. These would include data/surveillance, policy development, enforcement and environmental change, in addition to individual treatment.
  - c. “Hot-Spot Policing” which is a recognized evidence based approach to deal with crime or public order issues within a specified area was employed in the Downtown Area Command to increase the presence of officers to both deter illicit sales and confiscate K2 when found.

- d. Persons identified during the Hot-Spot Policing effort led to long term investigations by the Organized Crime Division to identify and disrupt the supply and distribution stream.
- (2) What additional resources may be necessary, public and/or private, to increase the effectiveness of public safety and public health agencies in responding to K2 Spice use?
- a. Increased ability for the Downtown Austin Community Court (DACC) to refer clients from the homeless population to substance abuse treatment.
  - b. Since the resolution was passed in April of 2017 and through the efforts of the agencies involved, the city has experienced a decrease in the number of K2 incidences.
  - c. History has shown periodic increases in the use of K2 followed by periodic decreases. Emergency funds available to public safety agencies to conduct evidence based initiatives in response to urgent crises beyond the capacity of daily operations and budgets are essential to be prepared to respond to the next crises immediately when it occurs.
  - d. Evidence has indicated that a robust public safety response early on when crises occurs results in a decreased negative impact on public safety.

The Public Safety Departments (APD, EMS and APH) have provided data on the K2 Spice populations they serve and rescue via city services almost daily with their current resources.

#### Attachments

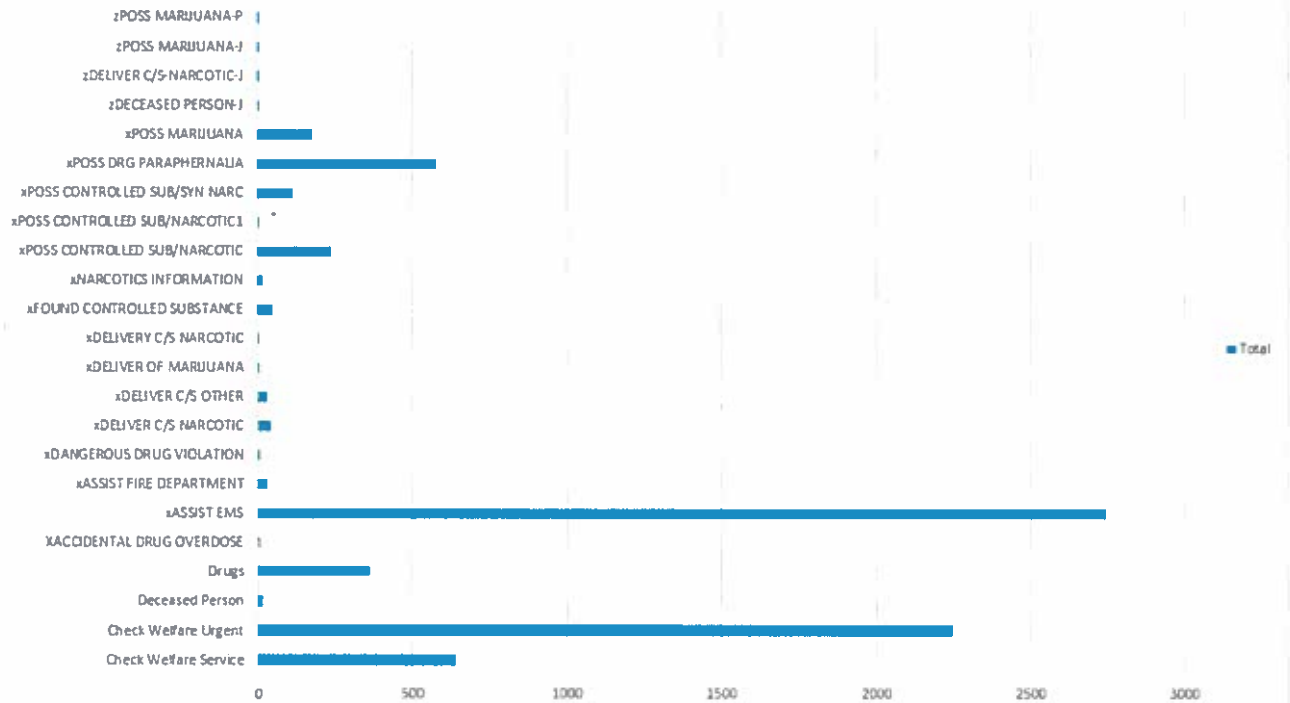
## AUSTIN POLICE DEPARTMENT SITUATION

The use of the substance known as K-2 has been on the increase within the homeless population for several years presumably due to the fact that it is inexpensive and difficult to enforce laws as they currently exist. Since 2012 when ATCEMS began tracking K2 related patient contacts, they have responded to over 7,000 calls for service throughout the city. This high number of calls has created a crisis situation which has resulted in an extreme drain on public safety resources. The continued distribution and use has created a public health crisis within an already vulnerable population. The following graphics illustrate the number of calls related to drugs in the Downtown Area Command in 2017:

### 2017 George Narcotics Related/Assist Fire & EMS Calls for Service

Final Call Type Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Grand Total
Check Welfare Service	41	58	72	71	48	38	58	58	48	63	38	49	642
Check Welfare Urgent	206	225	265	293	166	141	149	150	149	168	173	162	2247
Deceased Person	1	2	1	4	3	1	1	1	3	1	2		20
Drugs	35	31	31	23	18	22	42	32	40	32	30	25	361
XACCIDENTAL DRUG OVERDOSE			1	1									2
xASSIST EMS	260	220	391	354	195	160	205	155	191	185	224	205	2745
xASSIST FIRE DEPARTMENT	3	2	8	1	3	2	6		3	1	3	2	34
xDANGEROUS DRUG VIOLATION			1										1
xDELIVER C/S NARCOTIC	2	2	11	2	2	6	1	9	4		3		42
xDELIVER C/S OTHER		2	3	5	1	1	3	1	8	5	2		31
xDELIVER OF MARIJUANA						1			2		1		4
xDELIVERY C/S NARCOTIC				1	2			1					4
xFOUND CONTROLLED SUBSTANCE	3	4	4	5	7	6	5	4	2	4	4	4	52
xNARCOTICS INFORMATION	2	1	3	3	3	1			3	1	1	1	19
xPOSS CONTROLLED SUB/NARCOTIC	11	15	30	42	20	16	22	16	15	17	19	12	235
xPOSS CONTROLLED SUB/NARCOTIC1					1	1	2		2			1	7
xPOSS CONTROLLED SUB/SYN NARC	13	3	8	21	14	18	14	6	3	6	8	1	115
xPOSS DRG PARAPHERNALIA	18	37	8	61	63	126	122	43	29	32	32	7	578
xPOSS MARIJUANA	15	12	22	13	26	20	13	8	8	22	11	7	177
zDECEASED PERSON-J		1											1
zDELIVER C/S-NARCOTIC-J								1	3				4
zPOSS MARIJUANA-J		1											1
zPOSS MARIJUANA-P		1											1
Grand Total	610	617	859	900	572	560	643	485	513	537	551	476	7323

George 2017 Narcotics Related/Assist Fire & EMS Calls for Service



George 2017 Narcotics Related/Assist Fire & EMS Calls for Service by Week



In 2016 the Legislature added the substance K-2 to the schedule of illegal narcotics. This addition made the sale of the substance a 1<sup>st</sup> degree felony with a punishment of 5-99 years in prison and the possession of the substance a misdemeanor, the level of which is dependent on the weight. Officers cannot make custody arrests for neither the distribution, nor the possession of K-2 without results from a lab scientifically identifying the substance as such. This process takes several months to complete and results in those individuals who are distributing it to be released by apprehending officers, pending substance identification, which allows them to continue their conduct.

## MISSION

Due to the limitations associated with testing and the minimal punishment range for possession, it has been the goal and priority of the Austin Police Department to focus our enforcement efforts on the dealer and confiscate amounts in possession for individual use.

Since April 2016 the Organized Crime Division of APD has issued 104 first degree felony warrants on 87 individuals for the distribution of K2. On-going narcotics enforcement operations have been conducted at the Austin Resource Center for the Homeless (ARCH) utilizing the High Activity Location (HALO) cameras. These operations have resulted in over 30 arrests for the sale of a variety of illegal drugs between March and April 2017. Included in these arrests were the identification of multiple K2 dealers and the confiscation of large quantities of K2.

## EXECUTION

It is the goal of the Austin Police Department to eradicate the distribution of this poison to our citizens and a multi-dimensional approach will be used to this end.

- Education
  - The Austin Police Department in collaboration with community partners will fund the creation of educational material to be distributed to homeless service providers to educate this population on the physical dangers of K2. Service providers have pledged their support in this effort.
  - The Downtown Austin Community Court will include educational materials and discussions about K2 with clients through their case manager when appropriate.
  - The Homeless Outreach Street Team (HOST) combined with the Crisis Intervention team (CIT) will assist with the education efforts in their daily contact with homeless individuals.

- Engagement

- The Austin Police Department funded an overtime initiative of one supervisor and 5 officers working during the hours with the highest call volume related to K2 based on data. These hours span from 8am - 12am. One shift of officers will work from 9am – 5pm and one shift from 4pm – 12am. These shifts will ensure that officers are physically present in the area most densely populated with homeless citizens to enhance our efforts to engage them on a street level. The cost of this effort will be as follows.

• 1 Sergeant (\$77.96ph) -	\$623
• 5 Officers (\$55.51ph) -	\$2220
• Total:	\$2843 per shift
• 24 hour total:	\$5686
• Monthly:	\$170,580

- The Downtown Area Command will take the lead on coordinating presentations to address groups of homeless in a variety of settings in collaboration with Front Steps and the ARCH management.

- Enforcement

- The Austin Police Department Organized Crime Division and the Downtown Area command have been conducting ongoing operations to arrest drug dealers around the ARCH. These efforts will continue and will be enhanced indefinitely until this problem subsides.
- The Street Narcotics Unit of the Organized Crime Division has agreed to staff a full team working 20 hours per month. The cost of this effort will be as follows:

• 1 Sergeant (\$77.96ph)-	\$1558
• 8 Officers (\$61.22ph) -	\$9795
• Total per month:	\$11,353

- The officers working the overtime initiative mentioned above will enforce existing laws and respond to K2 calls to free up on duty resources.
- The overtime initiative will consist of one supervisor and 5 officers assigned to bicycle or foot patrol. When not responding to K2 calls these officers will be visible in the area from Fifth Street to Eighth Street, Red River on the East, to Congress on the west.
- In addition to the overtime initiative, all DTAC shifts will staff to 100% in order to have sufficient staff available to respond to 911 calls and ensure the safety of all citizens and visitors downtown.

- **Analysis**

- Due to the manpower intensive process of testing K2 the APD Forensics Lab is limited in the capacity to conduct ongoing test for the increased enforcement operations.
- APD has coordinated with a private laboratory that can conduct the analysis within 30 days for \$565 per sample
- A long term solution to address the analysis backlog would be to fund an FTE for a chemist to specifically analyze suspected K2. This position would cost \$94,495 and take approximately 6 months to train.
- In the short term the current staff can work a limited amount of overtime given other responsibilities. One chemist per day working four hours of overtime would cost approximately \$5000 per month.

- **Prosecution**

- The Travis County District Attorney's office has agreed to continue to work collaboratively with the Austin Police Department to ensure K2 delivery cases receive vigorous prosecution.

## **Austin Public Health Response Summary**

It is important to partner with local health departments and hospitals to develop initiatives for education and policies to prevent comorbidities and deaths from K2 use. Current public health partners include APD, AFD, EMS, and Integral Care. Austin Public Health would look to hire an epidemiologist that will focus on the impact of K2 on the Austin area. There are currently no general fund staff that are able to perform these functions. Other positions within the Epidemiology unit are grant funded with specific grant requirements/deliverables. Cost for an entry level epidemiologist to conduct this activity is about \$97,000 (including salary and fringe only). Responsibilities for this position include but are not limited to:

- Conducting comprehensive epidemiologic surveillance of K2 within the City of Austin.  
Epidemiologic surveillance will include data analysis of mortality, hospital emergency department, and other types of information that will be considered for analysis includes data from the medical examiner, emergency medical services and the poison control center.
- Analysis can include chart review of cases to examination of the burden of K2 on the healthcare system (both pre-hospital and hospital), and the evaluation of the effectiveness of response and program strategies.

- Consider making reports of fatal and nonfatal synthetic cannaboid and other drug-related (e.g. opioids, methamphetamines, narcotics) overdose cases a notifiable condition within 48 hours. Long term goal to be implemented by new position.
- Engaging local poison centers to assist with tracking and treatment of patients (Central Texas Poison Center). Staff can make some initial engagement with poison control centers however, any data mining and collaboration will likely require dedicated staff.
- Preparing messages and sending health alerts and guidance to healthcare professionals and Health Department partners as needed. Messaging and health alerts can be developed based on best practices from other communities. With no current dedicated staff, any response actions will be reactionary and will require assistance from Corporate PIO.
- Developing public health fact sheets and educational outreach materials. Messaging and health alerts can be developed based on best practices from other communities. Again, with no current dedicated staff, any response actions will be reactionary and will require assistance from Corporate PIO.
- Asking law enforcement partners to share intel with health department staff. Department is currently in the process of having staff credentialed within the Austin Regional Intelligence Center. Once clearance is obtained, information sharing with APD and other public safety agencies will be easier.
- Attending local K2 Task Force Meetings (currently done by existing staff).

#### Social Service Response activities

Priorities developed in consultation with COA contracted Social Service providers (including

FrontSteps and ECHO} with respect to Homelessness include:

- Training for City Partner organization staff – proper response for someone having K2 induced episode (i.e. when to call 911) – estimated cost \$10,000.
- Development and implementation of a community wide public awareness campaign focusing on homeless population and other affected populations or populations at risk (i.e. youth) – estimated \$80,000 to include print and media, and incentives for clients. Hire 3 peer specialists – estimate \$87,360 (salary, FICA and Medicare) to increase street level interventions and outreach ensuring that clients are linked with the appropriate outreach and support programs.



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If you have any questions, please contact Stephanie Hayden, Interim Director at (512) 972-5010.

### **Emergency Medical Services**

EMS Chief of Staff Jasper Brown has worked with the Austin Police Department and Assistant City Manager Rey Arellano's office to discuss enhanced enforcement of K2. When the epidemic hit last spring, a Dangerous Drug Taskforce was formed and the group discussed ongoing efforts. It was because of the collaborative work that shortly thereafter the K2 crisis came to a halt.

At this time, we are only seeing one or two patients a day for K2 and those calls have been in the downtown area. EMS has been tracking all K2 response calls since the beginning of its appearance in Austin.

EMS will continue to collaborate with our partners to ensure the safety and well-being of our residents. If you have any questions, please contact Jasper Brown, Chief of Staff at 512-972-7201.